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Reply to: Matawan Office

March 12, 2021

Via Electronic Filing

The Honorable John Michael Vazquez, U.S.D.J.
United States District Court for the District of New Jersey
Court Room: PO 03
Martin Luther King Building & U.S. Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

Re: **D.M. o/b/o N.M. v. School District of the Chathams Board of Education**
U.S.D.C. Docket No.: 2:20-CV-10165

Dear Judge Vazquez:

Please be advised that this firm represents Respondent School District of the Chathams (“District”) in connection with the above-referenced matter. This matter is an Appeal of the Administrative Record of the Final Decision of the Honorable Susana E. Guerrero, Administrative Law Judge, Office of Administrative Law (“OAL”) in Newark dated July 21, 2020. In her ruling, Judge Guerrero found that the District appropriately declassified N.M. as N.M. no longer met the criteria for eligibility under the Individuals with Disabilities in Education Act (“IDEA”). Judge Guerrero found that N.M. was not entitled to an Individualized Education Plan and, thus, the District had, in fact, provided N.M. with a free appropriate public education (“FAPE”).

This appeal was filed on or about August 7, 2020. On or about November 27, 2020, the parties filed with the Court a Joint Discovery Plan wherein counsel advised the court that no additional discovery or motion practice would be required in this matter as it an of the administrative record. Further, the parties have participated in multiple settlement conferences with Magistrate Judge Mark Falk on February 3, 2021 and March 3, 2021, but are unable to agree to terms that would result in a settlement of this matter.

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In this regard, Appellee hereby respectfully requests that a briefing schedule be issued in this matter providing counsel with the required guidance to file their respective briefs and the Court can issue a ruling.

Respectfully submitted,

s/ Danielle Pantaleo

Danielle Pantaleo

DP/tb

cc: Bradley Flynn, Esq. (*via ECF only*)

Vincent D'Elia Ph. D., Assistant Superintendent of Student Support Services
(*via e-mail only vdelia@chatham-nj.org*)